

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Mirko Pogutter, et al

Serial No. 10/580,638

Examiner: S. Young

Filed: February 8, 2007

Art Unit: 1626

For: METHOD FOR PRODUCING {N-[1-(S)-CARBALKOXY-3-PHENYLPROPYL]-S-ALANYL-2S, 3AR, 7AS-OCTAHYDROINDOLE-2-CARBOXYLIC ACID} COMPOUNDS

**SECOND PRELIMINARY AMENDMENT AND  
SUPPLEMENTARY RESPONSE TO RESTRICTION REQUIREMENT**

**Via EFS**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Second Preliminary Amendment and Supplementary Response replaces the Response filed on September 22, 2008 that was filed in reply to the Restriction Requirement mailed August 28, 2008.

**Amendment to the Claims** begin on page 2.

**Remarks** begin on page 8.